

REMARKS

In view of the preceding amendments and the comments that follow, and pursuant to 37 C.F.R. § 1.116, amendment and reconsideration of the Final Official Action of July 31, 2002 is respectfully requested by Applicants.

RECEIVED
FEB 5 2003
TC 1700

Rejection under 35 U.S.C. § 102(b)

The Examiner has rejected claims 5-8, 14, and 15 as being anticipated by U.S. Patent No. 4,636,403 ("Fisanick") under 35 U.S.C. § 102(b).

Fisanick discloses a method for repairing transparent defects in patterned metal films comprising: (1) coating the surface of a substrate with a layer of metal-organic compound; (2) irradiating the exposed portions of the metal-organic compound using a laser beam; (3) ramping the laser's power level until a metal patch becomes reflective and an adherent is formed; and (4) removing the unexposed portions of metal-organic compounds that remained on the surface. *Abstract; Column 4, lines 6-41; claims 1, 2, and 8.*

In contrast, the present invention relates to a method of repairing a metallic pattern on a substrate comprising: (1) applying a metallic organic compound to a defect in a metallic pattern overlying said substrate; (2) subjecting the metallic organic compound to a provisional baking process using a laser; and (3) subjecting the metallic organic compound to a main baking process to deposit a thin metallic film in said defect.

As the above shows, Fisanick does not teach or disclose that the metallic organic compound be subjected to a main baking process, which is a second baking step in the present invention, to deposit a metallic thin film after a provisional baking process using a laser (element 3 of the present invention, as written above). For a reference to anticipate a claimed invention, it must disclose *each* element of the claimed invention. *Minnesota Min. & Mfg. Co. v. Johnson & Johnson Orthopaedics, Inc.*, 976 F.2d 1559 (Fed. Cir. 1992). As a corollary, the absence from the reference of any claimed element

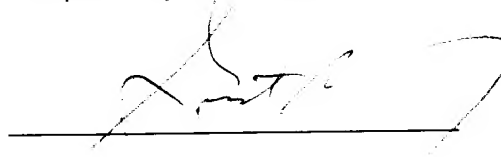
negates anticipation. *Kloster Speedsteel AB v. Crucible Inc.*, 793 F.2d 1565 (Fed. Cir. 1986). Moreover, in a process claim, a reference must disclose each element in a claimed process in the same order as the claim does. *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226 (Fed. Cir. 1989); *Carella v. Starlight Archery & Pro Line Co.*, 804 F.2d 135 (Fed. Cir. 1986); *Lindemann Maschinenfabrik v. American Hoist & Derrick Co.*, 730 F.2d 1452 (Fed. Cir. 1984); *Connell v. Sears, Roebuck & Co.*, 722 F.2d 1542 (Fed. Cir. 1983). Since Fisanick does not disclose element (3) of the claimed process, Fisanick also does not and cannot disclose the order in which the elements of the claimed invention are arranged.

Based on the above, Applicants respectfully submit that Fisanick does not anticipate the present invention. Applicants therefore respectfully request that the Examiner withdraw the rejection of the claims under 35 U.S.C. § 102(b).

Conclusion

Applicants submit that their application is now in condition for allowance, and favorable reconsideration of their application in view of the above amendments and remarks is respectfully requested. Allowance of claims 5-8, 14, and 15 at an early date is earnestly solicited.

Respectfully submitted,



Gustavo Siller, Jr.
Registration No. 32,305
Attorney for Applicants

BRINKS HOFER GILSON & LIONE
P.O. BOX 10395
CHICAGO, ILLINOIS 60610
(312) 321-4200